APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,843	02/21/2002	Sen-Ta Chan	WISP0001USA	9678

27765 7590 06/21/2004	EXAMINER
NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)	CHOUDHURY, AZIZUL Q

P.O. BOX 506
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ART UNIT	PAPER NUMBER
2143	6

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO 90C (Rev 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/683,843	CHAN ET AL.
	Examiner	**Art Unit**	
	Azizul Choudhury	2143	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 February 2002_.
2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
  closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-40_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-40_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _21 February 2002_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-40 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the

alternative, under 35 U.S.C. 103(a) as obvious over Li et al (US Pat No:

US006067568A), hereafter referred to as Li.

1. With regards to claims 1, 11, 21, 31, 32, 33, 36, 37 and 38, Li teaches a remote

   console for controlling power-on processes of a plurality of computers connected

   to a network, each of the computers comprising: a basic input/output system

   (BIOS) for executing a power-on process of the computer; an input buffer for

   storing input control signals; an output buffer for storing output video signals; and

   a virtual POST (power-on self test) daemon embedded in the basic input/output

   system for processing signals of the computer and receiving controls of the

   remote console, the virtual POST daemon comprising: an input receiving module

   for receiving input: control data from the remote console via the network; an input

   detection module for detecting whether the input buffer has any input control

   signals and executing the input control signals; a first conversion module for

converting the output video signal stored in the output buffer into output video

data and restoring the received input control data to the input control signal and

then storing the input control signal in the input buffer; and an output transferring

module for transferring the output video data to the remote console via the

network; the remote console comprising: an input device for generating the input

control signal of the power-on process for the computer; an output device for

displaying the corresponding output video signal of the power-on process for the

computer; and a remote console manager for processing signals of the computer

and controlling operations of the computer, the remote console manager

comprising: an output receiving module for receiving the output video data from

the computer via the network; a second conversion module for converting the

generated input control signal into the input control data and restoring the output

video data to the corresponding output video signal; and an input transferring

module for transferring the input control data to the computer via the network;

wherein the input control signal generated by the input device of the remote

console is transferred to the virtual POST daemon of the computer via the

network for controlling operations of the BIOS, and the virtual POST daemon

transfers an output signal of the computer to the output device of the remote

console via the network for displaying a power-on status of the computer

(Li's design involves a system of networked computers, each with agents (also

known as daemons) that communicate with a system administration module (also

known as a remote console) (column 6, lines 12-30, Li). The claimed features

such as BIOS and input and output means are inherently present within computer systems and Li's design uses computers for both the host (administration module) and the clients (the networked computers with the agents (daemons) inside). In addition, agents, such as the ones in Li's design, are able to perform diagnostic tasks (such as the claimed POST) on client computers they are attached to and communicate that information with the administration module (remote console). The agents exist to communicate the features and status of the computers they are within to the host machine. Since communication is performed, that means that input/output means along with the appropriate signal conversion must also occur).

2. With regards to claims 2, 12 and 22, Li teaches the remote console wherein the input device is a keyboard (All computers require input devices. Li's design uses computers (column 3, last line, Li)).

3. With regards to claims 3, 13 and 23, Li teaches the remote console wherein the input device is a pointing device (All computers require input devices. Li's design uses computers (column 3, last line, Li)).

4. With regards to claims 4, 14 and 24 Li teaches the remote console wherein the pointing device is selected from a group consisting of a mouse and a trackball (All computers require input devices. Li's design uses computers (column 3, last line, Li)).

5. With regards to claims 5, 15, 25, 34, 35, 39 and 40, Li teaches the remote console

wherein the computer further comprises: an operating system (OS) for controlling

operations of the computer; and a virtual OS KVM daemon installed in the OS for

providing a network function, an operation status of the computer being transferred to

the remote console via the network, and for providing a command received from the

remote console via the network for controlling an operation procedure of the computer;

wherein the input control signal generated by the input device of the remote console is

transferred to the virtual POST daemon of the computer via the network, and the virtual

POST daemon of the computer transfers the operation status of the computer to the

output device of the remote console via the network

(Li's design involves a system of networked computers, each with agents (also known

as daemons) that communicate with a system administration module (also known as a

remote console) (column 6, lines 12-30, Li). The claimed features such as BIOS and

input and output means are inherently present within computer systems and Li's design

uses computers for both the host (administration module) and the clients (the networked

computers with the agents (daemons) inside). In addition, agents, such as the ones in

Li's design, are able to perform diagnostic tasks (such as the claimed POST) on client

computers they are attached to and communicate that information with the

administration module (remote console). The agents exist to communicate the features

and status of the computers they are within to the host machine. Since communication

is performed, that means that input/output means along with the appropriate signal

conversion must also occur. Furthermore, the claimed virtual OS KVM inherently is present within Li's design since all hosts in network monitoring or network management systems are able to switch between their monitoring/managing tasks and other tasks).

6. With regards to claims 6, 16 and 26, Li teaches the remote console wherein the network is selected from a group consisting of an Internet and a local area network (LAN) (Li's design allows for networks such as LAN and Internet (column 4, lines 22-23, Li)).

7. With regards to claims 7, 9, 17, 19, 27 and 29, Li teaches the remote console wherein the computer is selected from a group consisting of a personal computer (PC), a server, and a notebook (Li's design allows for the use of computers (column 2, line 40, Li). PCs, servers and notebooks are all computers).

8. With regards to claims 8, 18 and 28 Li teaches the remote console wherein the remote console is capable of executing a power-on process for the computer via the network (Li discloses that other commands are executable on the client machine through the host (column 17, lines 1-29, Li). Hence, commands that already exist such as restarting, shutting down and turning on are inherently performable through Li's design).

9. With regards to claims 10, 20 and 30, Li teaches the remote console wherein a password is stored in the computer, when the remote console logs into the computer, the remote console has to input an identical password via the input device to execute a verification procedure (Li's design allow for passwords (column 7, lines 5-6, Li)).

Remarks

The claims submitted, while lengthy and detailed, fail to describe any truly unique features of a network monitoring or network managing design. In particular, claims such as input/output means, BIOS, keyboards, LANs and signal conversions are all properties inherently possessed within network monitoring or network managing designs. Most of the traits claimed typically be found within any computer alone. Should further details concerning the design be available that would present the design as being unique, the applicant's representatives are encouraged to amend the application to reflect such changes.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is 703-305-7209. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

AC

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